

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment



CERTIFICATE OF COMPLETION

VCP CASE NO.: VCP2017--049
SITE NAME: 309-311 Pennsylvania Avenue, SE
SITE ADDRESS: 309-311 Pennsylvania Avenue, SE
SQUARE/LOT: 0790/0018
ACREAGE: 0.042
VCP PARTICIPANT: Mr. Peter Vidi, Trustee
Juanita M. Vidi 2005 Irrevocable Trust
7727 Belle Point Road
Greenbelt, MD 20770

REFERENCE: Voluntary Cleanup Program Application dated May 13, 2016;
Phase I Environmental Site Assessment (ESA) report dated
February 7, 2017 and Preliminary Sub Slab and Soil Gas Testing
report dated August 26, 2015; Voluntary Cleanup Action Plan
(VCAP) dated June 14, 2017; Voluntary Cleanup Action Plan
Completion Report dated August 06, 2018

The Department of Energy and Environment ("DOEE") hereby issues this Certificate of Completion ("Certificate") pursuant to the provisions of Subchapter III of the Brownfield Revitalization Amendment Act of 2000, D.C. Law 13-312, as amended, D.C. Official Code §§ 8-633.01 *et seq.* (the "Act") for the cleanup of the site known as 309-311 Pennsylvania Avenue, SE and identified by the square and lot number above (the "Property").

Pursuant to D.C. Official Code § 8-633.06(c), DOEE has overseen the implementation and completion of the approved Voluntary Cleanup Action Plan ("VCAP") dated June 14, 2017, for the Property. DOEE has also reviewed the Voluntary Cleanup Action Plan Completion Report ("Report") dated August 06, 2018, and associated project progress reports, which indicated that the corrective actions had been completed in accordance with the VCAP. Corrective action consisted of the installation of a sub-slab depressurization system (SSDS) to reduce contaminant concentrations in the air beneath the existing building floor slab and evaluation of the SSDS performance. The Report indicated that indoor air sampled after the installation of the SSDS met EPA Vapor Intrusion Screening Levels and DOEE Tier 1 Risk-Based Screening Levels for commercial use. The Voluntary Cleanup Program received no comments regarding the issuance of this Certificate during the 21-day public notice and comment period prior to issuance required by § 8-636.01 of the Act. (See DC Register Notice Volume 65/36, dated September 07, 2018).

Pursuant to § 8-633.06(d) of the Act, the Department of Energy and Environment hereby states that:

1. The requirements of the cleanup action plan have been implemented, and that applicable cleanup standards have been met;
2. The Participant's implementation of the cleanup action plan at the Property has achieved the applicable cleanup standards regarding the contamination addressed in the cleanup action plan;
3. The Participant is released from further liability under this Act and any other District law or regulation for the cleanup of the Property and for any contamination identified in the environmental assessment reports completed for the Property. The Participant shall not be subject to a contribution action instituted by a responsible person;
4. **Long-term monitoring and maintenance for the Property is required as set forth in the Conditions;**
5. **The permissible use of this Property is limited to Commercial;**
6. This Certificate of Completion is transferable.

Pursuant to § 633.06(i) of the Act, this Certificate shall not:

1. Prevent the District from taking action against any person or property to prevent or abate an imminent or substantial endangerment to the public or the environment;
2. Remain in effect if obtained by fraud or a material misrepresentation, or if new information is discovered, within a reasonable time, about a hazardous substance that revises the acceptable risk levels; or if the risk level increases due to land use;
3. Affect the District's authority to take action against any person concerning new contamination or the exacerbation of an existing contamination after this Certificate has been issued;
4. Affect the District's authority to take action against any person concerning previously undiscovered contamination at the Property after this Certificate has been issued;
5. Prevent the District from taking action against any person who is responsible for long term monitoring and maintenance, for failure to comply with the cleanup action plan or failure to maintain institutional controls;
6. Prevent the District from taking action against any person who does not comply with the conditions on the permissible use of the Property contained in this Certificate;
7. Prevent the Department from requiring any person to take further action if the eligible Property fails to meet the applicable cleanup criteria set up in the cleanup action plan; or
8. Affect the planning or zoning authority of the District.

CONDITIONS

1. This Certificate may be transferred to any person whose actions did not cause or contribute to the contamination at this Property.
2. No less than ten (10) days before transferring this Certificate, the Participant or any successor-in-interest shall provide written notice to the Voluntary Cleanup Program at the following address:


Department of Energy and Environment
Environmental Services Administration
Land Remediation and Development Branch
1200 First Street NE, 5th Floor
Washington, DC 20002

3. If any portion of this Property is transferred, the property owner shall notify the Voluntary Cleanup Program at least ten (10) days before the transfer. In addition, any successor in interest must submit a written certification to the attention of the Chief, Land Remediation and Development Branch, Voluntary Cleanup Program, that the successor in interest has received a copy of this Certificate including any physical maintenance requirements for this Property.
4. If the property owner or successor in interest plans to change the use of the property from the current permissible use, the property owner or successor in interest must notify the Voluntary Cleanup Program of the proposed change. Depending on the proposed change, further investigation and remediation may be required.
5. The property owner or successor in interest shall operate and maintain the SSDS installed at the Property in accordance with the Operation and Maintenance Plan dated August 15, 2018, including periodic and monthly inspections of the SSDS and maintenance of inspection logs. The property owner or successor in interest shall not terminate the operation of the SSDS without the written consent of the Department.

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RECORDATION

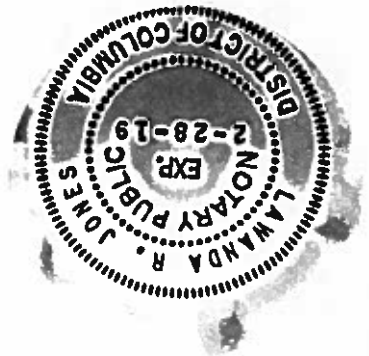
Because this Certificate limits the permissible uses of the Property, the participant shall record this Certificate with the Recorder of Deeds within (30) business days after receiving the Certificate or the Certificate shall be deemed void.


Richard Jackson, Deputy Director

Dec 28, 2018

Date

LAWANDA R. JONES
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires February 28, 2019



Original to:

Mr. Peter Vidi, Trustee
Juanita M. Vidi 2005 Irrevocable Trust
7727 Belle Point Road
Greenbelt, MD 20770

Copies to:

Dave R. Tomlinson
Associate Director
Toxic Substances Division
Environmental Services Administration
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor, Room 518
Washington, DC 20002

Recorder of Deeds
1101 4th Street SW, 5th Floor
Washington, DC 20024